

6

Notice of Allowability	Application No.	Applicant(s)	
	10/677,638	GORSKI ET AL.	
	Examiner	Art Unit	
	Daniel C Crane	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to April 22, 2005.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 02 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

IN THE CLAIMS

The following obvious errors to claim 1 have been corrected as follows:

1. (Currently Amended) In a roll forming machine of the type which forms an indeterminate length debris shedding rain gutter of a desired lateral profile from a uniform width supply strip of sheet metal having a pair of parallel straight edges, said roll forming machine defining a predetermined path of travel for said supply strip through a plurality of roll forming stations, wherein the desired lateral profile includes a lower trough and an upper hood, with the lower trough including a back wall and a front wall joined to a bottom wall, an arrangement for selectively providing independent adjustment of said profile at at least one predetermined one of said plurality of roll forming stations, the arrangement comprising:

a pair of kick forming rollers mounted to a bracket at the entry to a first selected roll forming station and adapted to provide an inward bend near [the] an upper end of the front wall so that [the] an upper edge of the front wall is behind [the] a forward end of the hood, wherein the bracket is independently adjustably mounted to the roll forming machine; and

a block adjustably mounted to the roll forming machine at a second selected roll forming station where there is a first roller in contact with the exterior of the back wall of the trough and a

Art Unit: 3725

second roller in contact with the exterior of the bottom wall of the trough, wherein the block slidingly engages the front wall of the trough to form a substantially right angle where the front wall joins the bottom wall, and wherein the block is independently adjustable toward and away from the first [and] roller.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: One reason for allowance is that the invention as claimed *inter alia* is directed to a specific roll forming machine for forming a debris shedding rain gutter where independently adjustable pair of kick forming rollers are mounted so as to inwardly bend an upper edge of the front wall behind a forward end of the hood of the rain gutter and where an adjustable block is mounted for slidingly engaging the front wall of the trough of the rain gutter to form a substantially right angle between the front wall and the bottom by moving the block towards and away from the roller that contacts the exterior of the back wall of the trough. These combined features are not shown by the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3725

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is (571) 272-4516. The examiner's office hours are 6:30 AM – 5:00 PM, Tuesday through Friday. The examiner's supervisor, Mr. Derris Banks, can be reached at (571) 272-4419.

Documents related to the instant application may be submitted directly by facsimile transmission at all times. The Examiner's Fax number is (571) 273-4516. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is **not** to be considered as an official response. The Office Facsimile Center number is (703) 872-9306.

DCCrane
May 20, 2005



Daniel C. Crane
Primary Patent Examiner
Group Art Unit 3725